

**In United States District Court
For the District of Delaware**

UNITED STATES OF AMERICA

v.

TIRON WARRINGTON,
Defendant

Criminal Complaint

CASE NUMBER: 08-128.

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about July 24, 2008, in the District of Delaware, Defendant Tiron Warrington, after having been convicted of a felony crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce a firearm, in violation of Title 18, United States Code, Section(s) 922(g)(1) and 924(a)(2).

I further state that I am sworn as a Special Deputy U.S. Marshal and am assigned to the ATF

and that this complaint is based on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes



Steven Parrott
Special Deputy U.S. Marshal assigned to the ATF

Sworn to before me and subscribed in my presence,

July 25, 2008
Date

at

Wilmington, DE
City and State

Honorable Leonard P. Stark
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT OF STEVEN PARROTT

1. Your affiant is Steven Parrott. Your affiant is a Special Deputy U.S. Marshal and is currently assigned as a Task Force Officer to the Wilmington, Delaware office of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives. Your affiant has been a police officer for the city of Wilmington, Delaware for ten years. Prior to your affiant's employment with the city of Wilmington, Delaware, your affiant was a sworn police officer for ten years working in other states. In all your affiant has twenty years of experience as a sworn police officer. Your affiant has attended and completed training in police/law enforcement academies in the states of Florida, Wyoming and Delaware. Your affiant has received training in the recognition of firearms and the investigation of firearms offenses at all three of these academies as well as regularly attending in-service training throughout your affiant's career. Your affiant has participated in the seizures of over fifty firearms and the investigation of a substantial number of firearm-related offenses. In addition your affiant has participated in discussions about the facts and circumstances of firearms offenses with other police officers, including but not limited to local, state and federal officers, specific to their own knowledge, experience and training of such offenses.
2. Unless otherwise noted, the information in this affidavit is based on your affiant's personal knowledge and conversations with officers of the Wilmington, Delaware Police Department and/or a Special Agent of the ATF who is specially trained in the investigation of firearms-related incidents and the interstate nexus of firearms.
3. The seizure of all the below listed evidence took place on July 24th, 2008, in the city of Wilmington, state and District of Delaware, as stated below to me by one or more Wilmington Police Officers.
4. Your affiant reviewed the criminal history information for the Defendant TIRON WARRINGTON from the Delaware Justice Information System and learned that the defendant has a felony conviction for which he faced incarceration for more than one year. The felony was Possession With Intent to Deliver a Narcotic Schedule 1 Controlled Substance, with a sentencing date on or about 10/03/07. This conviction was in the Superior Court in and for New Castle County, Delaware.
5. Your affiant spoke to a Wilmington Police Officer hereinafter referred to as Officer 1 and learned the following. Officer 1 was working in a plain clothes capacity and observed the defendant walking on a city street in the city of Wilmington, Delaware. Officer 1 recognized the defendant based upon information received from a past, proven reliable confidential informant and a picture he had obtained of the defendant. Officer 1 knew that the defendant was wanted on an outstanding capias.

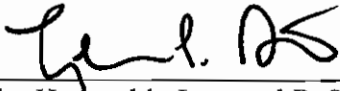
6. Officer 1 told your affiant the following. Officer 1 called for uniformed officers to stop the defendant. Several officers responded and took the defendant into custody without incident.
7. Your affiant spoke to another officer herein after referred to as Officer 2. Officer 2 stated that upon responding to Officer 1's call he, along with other officers, took the defendant into custody. Officer 2 searched the defendant incidental to his arrest and found a Beretta model 21A .25 caliber semi-automatic handgun, serial # DAA227688, in the defendant's right rear pants pocket. It was loaded with eight rounds of ammunition in the magazine and one in the chamber.
8. Based on your affiant's personal observation of the seized firearm your affiant believes the firearm: 1) contains the frame and receiver of a firearm, 2) appears to be capable of expelling a projectile by action of an explosive, and 3) is a firearm under 18 U.S.C. 921(a)(3).
9. Your affiant spoke with an ATF agent expertly trained in the interstate nexus of firearms. That agent stated that the seized firearm was manufactured in a state other than Delaware or a country other than the United States, meaning the seized firearm would have had to cross state and/or national lines prior to its possession in Delaware, thereby affecting foreign and and/or interstate commerce.
10. This affidavit has been prepared for the purpose of establishing probable cause. Further information regarding this incident is known by your affiant.

Wherefore, based upon your affiant's training and experience, your affiant believes that there is probable cause to believe that the defendant did possess in and affecting interstate and foreign commerce, a firearm after having been convicted of a felony crime punishable by imprisonment for a term exceeding one year in violation of Title 18 U.S.C., Section(s) 922(g)(1) and (924)(a)(2).



Steven P. Parrott
Task Force Officer, ATF
Special Deputy U.S. Marshal

Sworn to and subscribed in my presence
this 25th day of July, 2008.



The Honorable Leonard P. Stark
United States Magistrate Judge